

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**FRANK NELLUM,**  
**Plaintiff,**

**v.**

**JAMES KENNEY, et al.,**  
**Defendants.**

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**Case No. 2:22-cv-1092-JDW**

**ORDER**

AND NOW, this 15th day of April, 22 2022, upon consideration of the Application To Proceed In District Court Without Prepaying Fees Or Costs (ECF No. 4), it is **ORDERED** that, for the reasons stated in the accompanying Memorandum, the Application is **GRANTED**.

It is **FURTHER ORDERED** that, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the accompanying Memorandum, the Court determines that the Petition For Writ Of Habeas Corpus (ECF No. 1) fails to state a claim on which relief may be granted and no amendment could cure that failure. Therefore, the Petition is **DISMISSED WITH PREJUDICE**.

The Clerk of Court shall mark this case closed for statistical purposes.

**BY THE COURT:**

*/s/ Joshua D. Wolson*

**JOSHUA D. WOLSON, J.**